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26 **UNITED STATES DISTRICT COURT**

27 **DISTRICT OF NEVADA**

28 DEUTSCHE BANK NATIONAL TRUST
COMPANY,

Plaintiff,

vs.

CHICAGO TITLE INSURANCE
COMPANY, et al.,

Defendants.

Case No.: 3:19-CV-00649-RCJ-CLB

**STIPULATION AND ORDER
WITHDRAWING MOTION TO
DISMISS (ECF NO. 28) AND
COUNTERMOTION FOR PARTIAL
SUMMARY JUDGMENT (ECF NO. 48)**

COMES NOW defendant Chicago Title Insurance Company (“Chicago Title”) and
plaintiff Deutsche Bank National Trust Company (“Deutsche Bank”), by and through their
respective attorneys of record, which hereby agree and stipulate as follows:

1. On October 11, 2022 Deutsche Bank filed its first amended complaint in this

1 action (ECF No. 27);

2 2. On November 10, 2022 Chicago Title moved to dismiss Deutsche Bank's first
3 amended complaint (ECF No. 28);

4 3. On January 11, 2023 Deutsche Bank opposed Chicago Title's motion to dismiss
5 (ECF No. 47) and filed a countermotion for partial summary judgment (ECF No. 48);

6 4. On February 23, 2023, the parties filed the notice of settlement of all claims
7 pending in this action with the Court (ECF No. 53);

8 5. In light of the settlement between Deutsche Bank and Chicago Title, the parties
9 stipulate that Chicago Title's motion to dismiss (ECF No. 28) and Deutsche Bank's
10 countermotion for partial summary judgment (ECF No. 48) desire to withdraw their competing
11 motions, without prejudice to refile if necessary, so that neither side incurs additional fees on
12 briefing.

13 **IT IS SO STIPULATED** that Chicago Title's motion to dismiss (ECF No. 28) and
14 Deutsche Bank's countermotion for partial summary judgment (ECF No. 48) are hereby
15 withdrawn, without prejudice.

16 Dated: March 6, 2023

SINCLAIR BRAUN LLP

17 By: /s/-Kevin S. Sinclair
18 KEVIN S. SINCLAIR
19 Attorneys for Defendants
CHICAGO TITLE INSURANCE COMPANY

20 Dated: March 6, 2023

WRIGHT FINLAY & ZAK, LLP

21 By: /s/-Lindsay D. Dragon
22 LINDSAY D. DRAGON
23 Attorneys for Plaintiff
DEUTSCHE BANK NATIONAL TRUST
COMPANY

24 **IT IS SO ORDERED** that Chicago Title's motion to dismiss (ECF No. 28) and Deutsche Bank's
25 countermotion for partial summary judgment (ECF No. 48) are hereby withdrawn, without
26 prejudice. **IT IS FURTHER ORDERED** that the parties' settlement documents are due no later
than May 26, 2023.

27 Dated this 10th day of March, 2023.

28 
ROBERT C. JONES
UNITED STATES DISTRICT JUDGE